

§ 238.1

32 CFR Ch. I (7–1–02 Edition)

SOURCE: 45 FR 21229, Apr. 1, 1980, unless otherwise noted.

§ 238.1 Reissuance and purpose.

This part is reissued to supplement part 237 of this title and to provide procedural guidance for the planning and conduct of community relations activities of the Armed Forces.

§ 238.2 Applicability and scope.

(a) The provisions of this part apply to the Office of the Secretary of Defense, the Military Departments (including their National Guard and Reserve Components), the Organization of the Joint Chiefs of Staff, the Unified and Specified Commands, and the Defense Agencies (hereafter referred to as “DoD Components”). (As used in this Instruction, the term “Military Services” refers to the Army, Navy, Air Force, and Marine Corps.)

(b) Its provisions encompass all DoD community relations programs regardless of name, program, or sponsorship.

§ 238.3 Definitions.

(a) As used herein the following definitions apply:

(1) *Military installation.* Any installation owned or operated by the Department of Defense or by a DoD Component such as a base, station, post, reservation, camp, depot, fort, terminal, facility, ship, school, and college.

(2) *Elsewhere.* Any location, other than a military installation, at or on which a community relations program may be conducted.

(3) *Official Federal Government functions.* Those activities in which officials of the Federal Government are involved in the performance of their official duties.

(4) *Official DoD functions.* Those activities (including Defense Committees, Joint Civilian Orientation Conference (JCOC), and activities held on military installations, or elsewhere when the appropriate commander certifies that suitable facilities are not available on a military installation) which are sponsored by a Military Service, have as their principal purpose the promotion of esprit de corps, and are conducted primarily for active duty personnel, dependents, and guests.

(5) *Official civic functions.* Those activities in which officials of State, county, or municipal governments are involved in the performance of their official duties (for example, inaugurations, dedications of public buildings and projects, the convening of legislative bodies, and ceremonies for officially invited Government visitors).

(b) Other terms used in this part are defined in § 237.8 of this title, and §§ 238.10 and 238.12 of this part.

§ 238.4 Policy.

(a) The policy of the Secretary of Defense governing Armed Forces Community Relations programs is based on public law and executive orders and is set forth in part 237 of this title. Amplification of basic policy and supplemental guidelines for the planning and conduct of specific categories and types of community relations programs are contained in this part.

(b) The Assistant Secretary of Defense (Public Affairs) (ASD(PA)) been designated as the principal staff assistant to act for and in behalf of the Secretary of Defense in granting any exceptions to basic public affairs policy.

(1) Requests for exceptions to this policy shall be submitted to the ASD(PA) via command channels.

(2) Such requests shall contain, as a minimum:

(i) A description of the community relations program contemplated,

(ii) A justification for approval of the exception, and

(iii) Appropriate recommendations.

(3) Exceptions shall be granted on a case-by-case basis.

(c) Policy guidance concerning public affairs relations with business and non-Government organizations representing business is contained in part 237a of this title.

(d) Policy governing the use of military carriers for public affairs purposes is contained in DoD Instruction 5435.2,¹ “Delegation of Authority to Approve Travel In and Use of Military Carriers for Public Affairs Purposes,” April 25, 1975.

¹Copies may be obtained, if needed, from U.S. Naval Publications and Forms Center, 5801 Tabor Ave., Philadelphia, Pa., 19120, Attn: Code 301.